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OF COUNSEL
GOODMAN KALAHAR, P.C.

August 15, 2008

Kelly G. Keenan, Esq.
Counsel to the Governor
111 S. Capitol Ave.
Lansing, MI 48909

-HAND DELIVERED-

Re: Petition and Charges against the Honorable Kwame M. Kilpatrick; Witness List and Exhibits

Dear Mr. Keenan:


Enclosed please find the following in regard to the above-named matter, as ordered by the Governor:

1. Petitioner's Witness List, including a description of the expected areas of testimony for each witness who will or may testify;
2. All Exhibits in our possession which we currently contemplate may possibly be introduced as exhibits during the hearing scheduled to begin on September 3, 2008;

It should be noted that there are additional documents which I just received today, August 15, 2008, from Honorable Valdemar Washington, Esq. regarding his involvement in the settlement of the *Brown/Nelthrope/Harris* cases. I am in the process of making copies of these documents, which will be delivered to Ms. McPhail's office today. We will attempt to deliver a set of these documents to your office as soon as possible, but it is not logistically possible to get these to you today. In any event, nothing in these documents appear to be terribly critical; however, if by chance they become sufficiently relevant or important, we are taking the precaution of providing copies to you and opposing counsel.

Thank you for your attention to this very important matter.

Sincerely,


William Goodman
Special Counsel, Detroit City Council

GOODMAN & HURWITZ, P.C.
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WHG:gdg
Enclosures

cc: Sharon McPhail, Esq.
James Thomas, Esq.

STATE OF MICHIGAN
IN THE OFFICE OF THE HONORABLE JENNIFER GRANHOLM
GOVERNOR

In Re:

Petition and Charges of the Detroit City Council

Against

Honorable Kwame M. Kilpatrick
Seeking His Removal for Acts of Official Misconduct

Petitioner's Witness List and
Brief Description of the Proposed Testimony of Said Witnesses

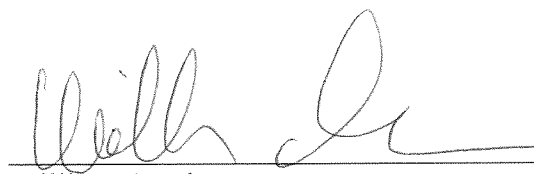
NOW COMES Petitioner and hereby notifies the Respondent that the Petitioner will or may call the following witnesses, not necessarily in the order listed. Petitioner reserves to right to supplement this list as other matters arise and will notify the Respondent in the event that it chooses to do so. Petitioner also herein notifies the Respondent as to the areas of questions that Respondent proposes to as each witness. Petitioner reserves the right to questions witnesses with regard to other matters should such matters emerge or arise during the examinations of opposing counsel:

1. Sharon McPhail – may be asked questions regarding her role, if any, in the settlement of the *Brown/Nelthrope/Harris* cases. She may also be asked questions regarding the Free press FOIA request, as well as his involvement/participation with the response to that request.
2. John Johnson - may be asked questions regarding his role in the settlement of the *Brown/Nelthrope/Harris* cases and in securing the “consent” of the Detroit City Council for the aforementioned settlement. He may also be asked about the normal and unusual practices of the City of Detroit Law Department with regard to such settlements and securing the consent of Council. He may also be asked questions regarding the Free press FOIA request, as well as his involvement/participation with the response to that request.

3. Anthony Adams - may be asked questions regarding his role, if any, in the settlement of the *Brown/Nelthrope/Harris* cases.
4. Michael Stefani – may be asked questions regarding the settlement of the *Brown/Nelthrope/Harris* cases, his role therein and his knowledge thereof. In particular, he may be asked about the chronology of the settlement, the various agreements, pleadings and other documents that were drafted and/or presented and his understanding of them, their purposes and their chronology. He will also be asked about any and all confidentiality agreement(s) and his understanding thereof as well as their implementation.
5. Samuel McCargo - may be asked questions regarding the settlement of the *Brown/Nelthrope/Harris* cases, his role therein and his knowledge thereof. In particular, he may be asked about the chronology of the settlement, the various agreements, pleadings and other documents that were drafted and/or presented and his understanding of them, their purposes and their chronology. He will also be asked about any and all confidentiality agreement(s) and his understanding thereof as well as their implementation. He may also be asked questions regarding the Free press FOIA request, as well as his involvement/participation with the response to that request.
6. Wilson Copeland - may be asked questions regarding the settlement of the *Brown/Nelthrope/Harris* cases, his role therein and his knowledge thereof. In particular, he may be asked about the chronology of the settlement, the various agreements, pleadings and other documents that were drafted and/or presented and his understanding of them, their purposes and their chronology. He will also be asked about any and all confidentiality agreement(s) and his understanding thereof as well as their implementation. He may also be asked questions regarding the Free press FOIA request, as well as his involvement/participation with the response to that request.
7. Valerie Colbert-Osamuede - may be asked questions regarding the settlement of the *Brown/Nelthrope/Harris* cases, her role therein and her knowledge thereof. In particular, she may be asked about the chronology of the settlement, the various agreements, pleadings and other documents that were drafted and/or presented and his understanding of them, their purposes and their chronology. She will also be asked about any and all confidentiality agreement(s) and her understanding thereof as well as their implementation. She may also be asked questions regarding the Free press FOIA request, as well as her involvement/participation with the response to that request. She may also be asked questions with regard to the Lawsuit Settlement Memorandum that she prepared and her involvement

with Council with regard to the settlement of these cases and her general practices with regard to the settlement of cases and the use of confidentiality agreements, in connection with such settlements.

8. Valdemar Washington - may be asked questions regarding the settlement of the *Brown/Nelthrope/Harris* cases, his role therein and his knowledge thereof. In particular, he may be asked about the chronology of the settlement. He may be asked about the negotiating positions of the various parties and the circumstances surrounding the settlement of these cases. He may also be asked about his experience with regard to facilitations and settlements and the general practice with regard to the
9. William Mitchell – may be asked questions concerning the process of obtaining and securing the text messages between the Mayor, Christine Beatty and other persons, an unfiled brief by Mr. Stefani that disclosed text message material and secret material; the delivery of such material to the Mayor; and the sequestration of such material in a law office in Virginia.
10. Ellen Ha – may be asked questions regarding how she handled a FOIA request by Jim Schafer of the Detroit Free Press to the City of Detroit regarding the settlement of the *Brown/Nelthrope/Harris* cases, and all the documents that were involved in the settlement, whom she spoke with and what she was told.
11. Kwame M. Kilpatrick – may be asked questions regarding his knowledge and participation in the settlement of the *Brown/Nelthrope/Harris* cases, as well as the agreements that were a part of these settlements – confidentiality, monetary or other agreements. He may be asked questions regarding his involvement in the aforementioned settlement, as the situation and circumstances of that settlement changed and developed, from September 11, 2007 until the end of that year. He may also be asked about the circumstances that the Detroit City Council was not apprised of, in particular the secrecy and confidentiality of the text messages and other material covered by a confidentiality agreement or agreements. In addition, he may be asked about the text messages and other objects of secrecy and confidentiality, as they affected or were involved in the *Brown/Nelthrope/Harris* matters from the beginning of those cases until the end of 2007.



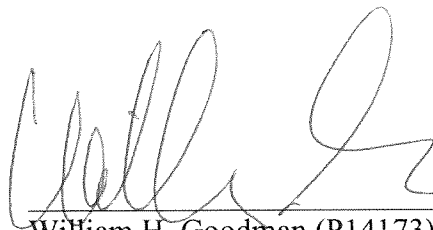
William Goodman
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Detroit City Council

David Whitaker
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2 Woodward Avenue, Ste. 216
Detroit, Michigan 48226

Dated: **August 15, 2008**

CERTIFICATE OF SERVICE

I hereby certify that on or by **15 August 2008**, I served the foregoing *Witness List*, by e-mail, fax and hand delivery to counsel for the Honorable Kwame M. Kilpatrick, specifically Sharon McPhail, Esq. (313-224-4128) and James Thomas, Esq. (313-963-9258).



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